states that this is an In re Schneller-type double patenting rejection. That ground for rejection is respectfully traversed for the reasons set forth below.

Applicants acknowledge with appreciation the courtesy of an interview between Applicants' representative, Michael R. Casey, and Examiner Dinh. During that interview, the applicability of double patenting rejections was discussed. Applicants' representative indicated that an In re Schneller-type double patenting rejection should be withdrawn where the later claimed invention is patentably distinct from the earlier claimed invention. See MPEP 804(II)(B)(2). Examiner Dinh indicated that he would formally consider the issue upon submission of a formal response.

MPEP 804(II)(B)(2) covers the applicability of In re Schneller-type double patenting rejections. MPEP 804(II)(B)(2) states that:

> if the applicant has met "the burden of establishing that the invention claimed in [the reference] is 'independent and distinct' from the invention of the ... claims" at issue, a non-statutory double patenting rejection of this type should not be made or, if already made, should be withdrawn.

As described below, Applicants' claims are patentably distinct from the original claims and the outstanding double patenting rejection "should be withdrawn."

Claim 1 of the '842 patent recites:

> 1. A system for connecting a workstation of the type that includes a keyboard, a cursor control device, and a video monitor to a number of remotely located computers, comprising:
>
> a central programmable switch for connecting signals received on a number of inputs to a number of outputs;
>
> a first signal conditioning circuit for receiving signals produced by the keyboard and cursor control device of the workstation and for transmitting the keyboard and cursor control device signals to an input of the central switch, the

first signal conditioning circuit also including an on-screen programming circuit that produces overlaid video signals on the video monitor of the workstation, means for detecting keyboard and cursor control device signals entered in response to the overlaid video signals, and means for transmitting the keyboard and cursor control signal entered in response to the overlaid video signals to the central switch in order to control the operation of the central switch; and

a second signal conditioning circuit coupled to the remotely located computers for receiving the keyboard and cursor control device signals from an output of the central switch and for supplying the keyboard and cursor control signals to the remote computer.

As was argued in the 37 CFR 1.607 request by Cybex filed in conjunction with the parent patents (the '842 patent and the '096 patent), Cybex believes that the issued claims of the '842 patent and the '096 patent read on a digital computer programmed to capture (i.e., digitize) screen images and overlay digitized data with data from a digital computer's video card. That is, Cybex believes that claim 1 of the '842 patent is a generic claim that covers circuits using digital or analog signals. By contrast, claim 9 of the pending application is directed to a patentably distinct species and recites:

an analog video receiving circuit, connected to the computer-side interface, for receiving analog video signals from one of the plural computers through the computer-side interface;

an analog video overlay image generating circuit, disposed between the computer-side interface and the user-side interface, for producing an analog overlay video signals internal to the switching system; and

an analog video overlay circuit, disposed between the computer-side interface and the user-side interface, for combining (1) a portion of the analog video signals received by the analog video receiving circuit and (2) the analog overlay video signals generated internally to the switching system to form a combined analog signal that is output to the first monitor via the user-side interface.

Moreover, claim 15 (dependent from claim 10 which is dependent from claim 9) of the present application further adds the limitation:

wherein the analog video receiving circuit comprises a receiving circuit for receiving real-time, analog video signals.

Such a limitation is also patentably distinct from the claims of the '842 patent which do not specify how the video signals are sampled. As discussed in Cybex's 607 request, Cybex believes that its '212 patent discloses periodic image capture; however, the real-time image transfer is not supported by Cybex's '212 patent.

Likewise, claim 16 of the present application recites:

wherein the analog video receiving circuit comprises a receiving circuit for receiving real-time, analog video signals including the at least one of the horizontal- and a vertical-synchronization signal superimposed on the real-time, analog video signals.

Such a limitation is patentably distinct from the claims of the '842 patent which do not recite how the video signals are sampled.

Claim 19 further is patentably distinct from the claims of the '842 patent which do not specify how the video signals are routed inside the switch as opposed to the keyboard and/or mouse information. Claim 19 recites:

a digital backplane; and
an analog backplane, wherein keyboard information is routed from the computer-side interface to the user-side interface on the digital backplane independent of the analog video signals that are routed from the computer-side interface to the user-side interface on the analog backplane.

As discussed in Cybex's 607 request, the '212 patent uses an all-digital communications route from the remote PC processor to the Host Unit 00. As such, the system of the '212 patent is unable to separately route the analog video and the digital keyboard and/or mouse data.

Turning now to the '096 patent, claim 1 of the '096 patent recites:

1. A system for connecting a workstation of the type that includes a keyboard, a cursor control device and a video monitor to a number of computers, comprising:

a programmable switch for routing keyboard and cursor control signals from the workstation to a selected computer and for routing video signals from the selected computer to the video monitor of the workstation;

a first interface circuit for receiving keyboard and cursor control device signals from the workstation;

an on-screen programming circuit that produces video signals for display on the video monitor;

a programmed logic circuit coupled to the first interface that transmits the keyboard and cursor control device signals to the programmable switch and controls the on-screen programming circuit to produce the video signals upon the detection of a predefined input from a user of the workstation, the programmed logic circuit further operating to detect keyboard or cursor control device signals received while the on-screen programming circuit is producing video signals on the video monitor and to control the programmable switch in response to the keyboard or cursor control device signals detected; and

a second interface circuit disposed between the programmable switch and the selected computer for supplying the keyboard and cursor control device signals routed through the programmable switch to the selected computer.

As was discussed above, the pending claims are directed to a set of analog circuits that are patentably distinct from the generic circuits of the '096 patent and the teachings of the digital circuits of the '212 patent.

Consequently, the pending claims are believed to be separately patentable from the claims of the '842 and '096 patents, patentably distinguishing over the prior art, and in condition for allowance. An early allowance is respectfully requested.

Respectfully submitted,

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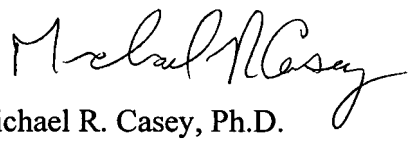

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